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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SOUTHERN DIVISION**
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12 TIN QUOC PHAN,) No. SA CV 22-1245-SB (PLA)
13 Plaintiff,) **ORDER ACCEPTING MAGISTRATE**
14 v.) **JUDGE'S REPORT AND**
15 OLIVE CREST,) **RECOMMENDATION**
16 Defendant.)
17 _____)

18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint, the other records on
19 file herein, the Magistrate Judge's Report and Recommendation, plaintiff's Objections to the
20 Report and Recommendation (ECF No. 27), and defendant's filing in response to plaintiff's
21 Objections (ECF No. 28). The Court has engaged in a de novo review of those portions of the
22 Report and Recommendation to which objections have been made. The Court accepts the
23 recommendations of the Magistrate Judge.

24 **ACCORDINGLY, IT IS ORDERED:**

- 25 1. The Report and Recommendation is accepted.
26 2. Defendant's Motion to Dismiss is granted, the Complaint is dismissed without leave
27 to amend and with prejudice for failure to state a claim and as barred by claim
28 preclusion, and this action is dismissed.

1 3. Judgment shall be entered consistent with this Order.

2 4. The clerk shall serve this Order and the Judgment on all counsel or parties of record.

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4 DATED: November 22, 2022



HONORABLE STANLEY BLUMENFELD, JR.
UNITED STATES DISTRICT JUDGE